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Conflitti, abusi e resistenze nello spazio
penitenziario





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N. 2/2020 LA VIOLENZA PENALE: CONFLITTI, ABUSI E RESISTENZE NELLO SPAZIO PENITENZIARIO

a cura di Daniela Ronco, Alvise Sbraccia, Valeria Verdolini

INDICE

<i>Prefazione</i> , Daniela Ronco, Alvise Sbraccia, Valeria Verdolini	7
<i>L'universo della violenza</i> , Eligio Resta	13
<i>Profili di responsabilità per l'uso illegittimo della forza nei confronti dei soggetti in custodia</i> , Francesca Cancellaro	25
<i>Visite, report e follow-up: un'analisi del monitoraggio Cpt per prevenire i maltrattamenti in ambito detentivo</i> , Perla Arianna Allegri	41
<i>Conflitti, violenza e rivolte nel penitenziario nella prospettiva della Convict Criminology: alcune riflessioni preliminari</i> , Jeffrey I. Ross, Grant E. Tietjen	55
<i>The 'prison-presence': prison culture beyond its walls</i> , Vitor Stegemann Dieter, Renato de Almeida Freitas Jr.	62
<i>Spunti per un'analisi storico-sociologica dell'homo rebellans in carcere: dalla presa della Bastiglia alla presa della pastiglia</i> , Claudio Sarzotti	83
<i>Carcere, rivolta, violenze: note sul caso di Modena</i> , Valerio Pascali, Tommaso Sarti, Luca Sterchele	110
<i>Potere, emergenza e carcere: il caso di Santa Maria Capua Vetere</i> , Dario Stefano dell'Aquila, Luigi Romano	126
<i>Salute, violenza, rivolta: leggere il conflitto nel carcere contemporaneo</i> , Daniela Ronco, Alvise Sbraccia, Valeria Verdolini	138
RUBRICA GIURIDICA	166
<i>L'emergenza sanitaria negli istituti penitenziari: un'analisi dei provvedimenti adottati dal Dipartimento dell'Amministrazione penitenziaria</i> , Costanza Agnella, Chiara De Robertis	168

ARTE E CARCERE	199
<i>Jean Trounstein: teatro e letteratura nel carcere del Massachusetts tra reti d'impegno artistico e culturale,</i> Vito Minoia	201
A PROPOSITO DI...	213
<i>Il carcere tra disciplina e bio-potere nella prospettiva storico-sociologica,</i> Claudio Sarzotti	215
<i>La teoria del diritto penale del nemico di Günther Jakobs tra funzionalismo luhmanniano e populismo penale,</i> Rossella Puca	232
<i>Le teorie del domin(i)o,</i> Vincenzo Scalia	245
AUTORI	252



The 'prison-presence': prison culture beyond its walls

Vitor Stegemann Dieter¹, Renato de Almeida Freitas Jr²

Abstract

The classic debate in the sociology of imprisonment was polarised between those that saw prison order emanating from the culture within the walls of prison or the culture in the streets. More recently researchers have taken a new look to what constitutes the walls of imprisonment, suggesting that the prison is a part of society as a whole or that the boundaries of imprisonment are fluidly extended beyond prison to those outside of it. Much less attention has been given to the agency of prisoners that react to the order and control of prisons by adapting, resisting or creating alternatives to criminal justice values in the prison and deviant street culture. Based on interviews and ethnographic data on prison and marginalized communities in Brazil, we argue that the rise of prison gangs, the new forms of communication from within prison to the outside (da Cunha, 2002) and the process of mass incarceration has shaped a new form of subjectivity and behaviour from below that we define as prison-presence.

Keywords: sociology of imprisonment, resistance, criminal justice, street culture, prison ethnography

1. Introduction. Neither deprived, nor imported: the living prison culture

Since the mid-twentieth century, an increasing concern with prison order and social control has informed a body of literature on inmate subculture. Gresham Sykes (1958) developed this line of thought emphasizing inmate subculture as a mean to overcome the deprivations set by the *pains of imprisonment*. Sykes (2007; Sykes, Messinger, 1960) argued that a code between prisoners

(the *inmate code*) was shaped as a by-product of the need from prisoners to stabilize inner prison relations. In the following years, other research (Grusky, 1959; Berk, 1966) supported the idea of the formation of an indigenous inmate culture, but emphasized that different prison organizational goals – either oriented towards treatment or custody – could influence that culture. In a more radical vein, Erving Goffman (1961) argued that the entry to *total institutions* – such as prisons and asylums – represented a process

of loss of individuality, a mutilation of the self, which, ultimately reduced the subject an institutional identity. For this *deprivation* model, prison order and inmate culture are characterised by the inner constraints of prison. Prison represented a definite change between the former identity of the individual and its new, subdued, prisoner identity.

However, other researchers have since questioned this borderline division between the institutional walls of prison and the external world. Since the early 60s, there has been a growing perception that inmate culture reproduces the criminal culture from the streets. Irwin and Cressey (1962) argued that the convict code described by Sykes (2007) was more of a product of the *thieves subculture* than a product of prison itself. For both Irwin and Cressey (1962) what distanced the subculture of prison from the culture of the streets was an orientation of conduct, characterized by the skills of manipulating the prison environment. On its core, however, inmates shared the culture of thieves, imported from the streets (see Irwin, 1970). James Jacobs (1977) research in Stateville prison further supported this hypothesis. In Stateville, gangs were the “most salient informal organisation” (Jacobs, 1974, p. 398) behind prison walls, however, they were inextricably tied to their street dynamics – recruitment, gang wars, criminal activities etc. – and unable to properly succeed without their existence. According to this perspective, imprisonment for regular inmates was not a break with past gang life, but an opportunity to develop further their gang status. Similarly, Joan Moore’s (1978) research with Mexican-Americans in Californian ghettos and prisons brought

the argument further. For her, the imprisonment represented continuity, rather than a rupture, with the life of the ghetto. In prison, incarcerated Mexican-Americans met the same people they *hanged out* on the outside and faced similar difficulties to the outside: labour-market segmentation; institutional exclusion and; social isolation from mainstream Anglo culture. Therefore, Moore’s (1978) focus on a particular marginalized ethnic group allowed her to develop an exact opposite model: inmate culture reproduce street culture because it responded to similar deprivations – only differentiated by a degree of intensity. In sum, for this *importation* model, the street is the key cultural vector that defines and explains prison social order.

In contemporary times, two other perspectives have extended the boundaries of what constitutes the walls that separate prison from society. A first approach understands prison as a *microcosm of society*, that is, the *outside institutional environment* being a determinant factor for the experience of imprisonment. In that line, Farrington (1992) argued that scholars have excessively focused on the prison milieu and given little attention to the “extra-institutional issues” that shape the real effect of imprisonment to the rise of crime (cfr. Marquart, Crouch, 1984; McEwen, 1980). Furthermore, Baer and Ravneberg (2008) have argued that professional practices of education and treatment in prison are in juxtaposition to the general social order, and, similarly, the literature has also acknowledged the influence of larger social movements in shaping the daily inmate social order (Leger, Barnes, 1986) and creating expectations for social change

(Thompson, 2016). In Brazil, Sabaini (2011) has argued that the construction of large penitentiaries in small towns have affected everyday practices and discourses in the outside community creating a *relational* rapport with prison culture that breaches through the *physical* walls of prison. Finally, some researchers have argued that street ghettos and prisons share similar functions of governance (Wacquant, 2001; Simon, 2007) and resemble similar spaces of containment (Holston, 2008; Caldeira, 2003; Jefferson, 2014).

More recently, a second line of inquiry has inverted the former argument of deeper assimilation of prison to general social values. For this other position, prison boundaries have become more elastic and expansive to the outside. Such research has gradually seen an extrapolation of prison itself to adjacent spaces, or the *peri-carceral space* (Cunha, 2014), of families and communities. Comfort (2003), for instance, has argued that inmate families experience becoming *quasi-inmates* in the rituals of visiting, being subjected to a *secondary prisonization*. Similarly, other research has argued that sustained contact with prisoners affect families and kin with financial, social and psychological issues (Borneman, Hammoudi, 2009; Jardine, 2018; Arditti, Lambert-Shute, Joest 2003; Codd, 2007) reproducing the marginalization and social exclusion of prison at a larger scale (Wakefield, Uggen 2010; Sampson, 2011). Drawing from those perspectives Moran (2013) research with Russian inmates has explicitly contested the 'total-institution' argument by positing that some liminal spaces within prison – such as visiting rooms and hostels – make the prison walls

more porous to external experiences of domesticity, albeit within an environment of prison control. In a similar vein, Padovani (2014) has traced the emotional continuities between prisoners, spouses and families. Her research in Brazil and Spain (Padovani, 2014, 2016) has led to argue the role of imprisoned and released spouses were key on building affection through letters and goods that forge family ties, merging spaces and bonding the struggles of individuals on the inside and out.

Albeit these two recent innovative approaches on prison culture have expanded the understanding of the boundaries of prison beyond the *deprivation-importation* models, the literature has given much less attention to the expanding convergence of inmate and street '*criminal*'² culture emanating from the flexible boundaries of prison. As our research indicates, the prison increasingly establishes a dominant vector of cultural praxis to the outside, constituting *prison-presence* in lives of the marginalized population.

This is especially relevant to present times for three different reasons. First, from the advent of phone booths in prison to the increasing presence of smuggled mobiles and SIM cards in prison, prisoners have expanded their communication to the outside (O'Hagan, Hardwick 2017; Homer, 2018; Severson, Brown, 2011; Mingardi, 2007). Where the old paradigm was the reliance on visits and letters as the main mean of communication to the outside, currently prisoners have new (legal and illegal) *vessels* of communication with their families, friends and acquaintances. Second, mass incarceration has increased the influx of individuals that have been

incarcerated (Bonczar, 2003; Wakefield, Uggen 2010; Fonseca, 2015) and the development of forms of more flexible and open imprisonment (Berger, 2016; Garces, Martin, Darke 2013; Darke, 2018) as well as alternatives to prison, such as probation and parole, approximate the inmate cultural systems to the streets. Finally, a new theoretical source of debate in the prison gang literature has argued that organized crime groups since the 1970s have increasingly expanded their criminal activities on the outside (Lessing, 2016) and have assumed a governance role of the criminal market inside and outside prison (Skarbek, 2014; Lessing, Willis, 2019; Miguel-Cruz, 2010).

However, a gap remains in the literature on the higher degree of common cultural embeddedness that prison is producing in the streets through *common 'criminals'* and non-stigmatised marginalized individuals. Furthermore, the spatial division of an inmate culture has concealed the continuities in the individual biographies of prisoners and the communities to which they belong. We suggest it is necessary to understand the effects of prison over inmate culture beyond the classical importation-deprivation formula. The rise of mass incarceration, the current expansion of legal and illegal *communication vessels* (da Cunha, 2003) from prison to communities and the role of gangs as *quasi-institutions* (Moore, 1978; Hagedorn, 2008) have shaped a cultural *prison-presence* (as we argue) in the streets that affect everyday values, discourses and practices. Thus, the core argument is that, in the circumstances of modern imprisonment in Brazil, we find the constitution of a living, permanent and pervasive, *presence* of the prison culture in

the behaviour of stigmatised individuals in the streets – including those that have not been affected by primary or secondary *prisonisation*.

As others (Farrington, 1992; Moran, 2013) have argued, the difficulty of seeing the continuity between prison and the streets stems from the study of prison isolated to its own walls, as if separated from society. The research undertaken simultaneously in prisons and in the streets in an affluent State in the South of Brazil points to the dissolution of symbolic and material boundaries around prison, re-shaping not only spatial relations, but establishing a temporal synchronicity. Cell-phones, letters, arrests and resettlement of friends and neighbours, the visits of lawyers and relatives, and the permanent relational net inside and outside prison that prison gangs foster moved us to see prison as an institution under current permanent connection to the streets and the *quebrada* (the Portuguese native argot to refer to their *hood*, cfr. Dias, Darke, 2016; Biondi, 2016; Barbosa, 2013; Godoi, 2010).

The boundaries of prison culture have been enlarged beyond prison, as da Cunha (2008) has argued in her ethnography in Portugal prisons and communities: the traditional research cue that strictly understood *prison-in-context* has to be expanded. Along those lines, we also contend that the street is a source of prison culture, and without it we found difficult to fully recognise the transformation and disputes of values, practices and discourses that shape the overall *milieu* (Miller, 1958). We argue that the *streets*, and in particular the *hood* (*quebrada*), is a *material* and *symbolic* space that senses a permanent presence of

prison – a *prison-presence* – which orientates values, discourses and practices between all those agents which, voluntarily or not, live the “*life in crime*” – such as (those referred in the field as) *criminals*, *thieves* and *vagabonds*⁴. Yet as early subcultural studies have argued, the importation-deprivation model mattered because they shaped our understanding of inmate cultural practices of cohesion and fragmentation that constitute a social order (Riley, 2002; Lawston, 2010). Likewise, in our particular research, the nature of the *prison-presence* interactions was not deprived of content. The struggles between different forms of a *criminal* culture ended shaping a shared set of values and practices that our participants called the *ethics of the crime*⁵. In order to understand the relationship of the prison to the *hood*, we follow the emphasis of our participants on the character of the *ethics of the crime*, the influence of the largest Brazilian prison gang (the PCC) in communicating street-prison ends and the institutional structures that are also behind these set of cultural norms in the fluid boundaries that constitutes prison as a *presence* in the life of *hood* dwellers.

2. Methods: participant observation and ethnographic interviews in a contested field

The awareness of the permeable cultural boundaries between the streets and prison was the result of a set of ethnographic research in prison, open-ended interviews with prisoners and prison staff (n=29) in three prisons in a Southern Brazilian State between late 2016 and early 2017. Participant observation, ethnographic interviews and focus groups were also undertaken outside prison (n=23) with ex-convicts, paroled prisoners, authorities

and police officers. Furthermore, added to those interviews, we undertook a two-year participant observation fieldwork in poor neighbourhoods or *bairros* – similar to the definition of *slums* (Whyte, 1993), which comprised both the (so-called) *respectable* working classes and the *delinquent* classes (Foucault, 2002). The active engagement with fieldwork, with the tireless repetition of themes, conversations and visits to prison and *hoods*, opened up the possibility of cognition of the internal dynamics of organizations, cultures and practices within the frame of the *world of crime* – as the term is used in Portugues (*mundo do crime*, cfr. Feltran, 2012).

Our research relied extensively on ethnography as a mean to overcome the strong repudiation to “*caguetagem*” (*snitching*) and its severe consequences to those that “*talk-to-much*”, in the *world of the crime* (Biondi, 2014; Marques, 2009). Typically, a hostility against the “*zé-povinho*” (people averse to *criminal* culture and unaware of its inner dynamics) culturally obstructs access to these (so-called) *criminals* and *vagabonds* from an open discussion about their material and symbolic world. The *world of the crime*, who is in it, what happened, where, why, how, when and all its minutiae were daily topics within the impoverished urban peripheries (Marques, 2016), but not easily accessed by outsiders. While their open communication about the occurrences in the *world of the crime* (“*o crime*”) makes their world self-intelligible, outsiders are generally unwelcome. Our role as participant observers in the *quebradas* found that there are constant and intense debate on what is *right* and *wrong* in their attitudes (common or

delinquent), of deaths and murders, of imprisonment and releases, and of each conduct of every individual sharing those spaces. In the *quebrada*, as well as in prison, you are being *observed* (in Portuguese, “*visto*”), your behaviour and your world views are subjected to democratic popular scrutiny. Thus, we found that a “*law of silence*” appeared only with the sudden intrusion of outsiders, not, as often is suggested, simply due to the fear that *crime* and *gangs* produce among dwellers (Paiero, Silva, 2011; Biondi, 2014). We observed *silence* as an embedded imposition of conduct to the external world, those outside of the relations in the *hood*, not to those within (Bourgois, 2003; Venkatesh, 2008). In the *hood* discussing and opining over the occurrences of the world of *o crime* is not only accepted but incentivised, while dealing openly with the public on those matters, even if to harmless observers, might have the consequence of leaking information and harming a *brother* (“*irmão*”) or a *colleague* (“*companheiro*”) and, consequently, is heavily frowned upon.

3. Cultural struggles within the “*o crime*”

Prisons are permeated by an intense debate about the *ethics of the crime*. The *ethics* are the values that organise and give meaning to the *criminal* culture. It is measured according to the *caminhada* (the *walk*, their life trajectories and their daily behaviours) of each prisoner. Consequently, discussing the *ethics* has practical consequences. Ultimately, the abidance to the *ethics* allows participants to divide those considered worthy of being housed with the general prison population (being in *conviviality*) and those unworthy and, consequently, warehoused in *safe* (“*o*

Seguro”) security units or blocks. We found that the constitution of a common shared *ethics of the crime* is why, the growth of the PCC – the largest Brazilian gang (Manoso, Dias, 2017; Adorno, Salla, 2007) – inside prisons is largely associated on the support of the *carceral masses* (in Portuguese, the “*massa carcerária*” meaning those amongst the *general population* that are not in *safe* units) to the group. According to our participants, the expansion of the PCC is in direct relation with the historical struggles against illegitimate gangs, labelled as *big bandits* (*bandidão*) – subjects perceived as *unethical* to *o crime* and exploitative of vulnerable others. While the *bandidão* represents the gangster or tough prisoner that has the goal of taking advantage of the other prisoners, the PCC self-claimed a resistance against this behaviour and supported common inmates on their struggles against the *bandidão*, through organisation, riots and assassinations.

This symbolic and physical struggle, which took place in a slow and contradictory process during the 00s, is part of an intense conflict that is seen as *ideological* between inmates, but that in the view of prisoners also happened during a heavy institutional response against PCC members – beatings, abuse of solitary confinement, removal of privileges etc. During this course, the PCC gradually gained added space and respect amongst substantial parts of the *carceral masses*. This process occurs in a tandem between the support that is given to the PCC among the prison population and the need of the PCC to gain that support. As we found in the very first item of the PCC Statute shared by our research participants:

1 Item:

All members [... of] the '*Primeiro Comando da Capital*', [...] should treat everyone with respect, give good examples to be followed by the masses, above all be fair and impartial.

A consequence of that tandem between the group and the prison population, the PCC further is fostered as spokespeople for the *carceral masses* to the prison administration and other prisoners. It is in this sense that the perception of the world formulated by the *criminals* themselves is crucial to understand the growth and added support to the PCC, in order to show the *ideological agency* that is in a struggle within the prison population, and more largely, in *the world of "o crime"*. The consolidation of this ideological agency greatly facilitated the process by which inmates communicated and orientated the values to the outside.

The introduction of the PCC *ideology* and practices into the *hood* occurred from within prison, but this process occurred in the situated places where PCC members could establish a grip in Brazilian States such as São Paulo, Mato Grosso do Sul and Paraná. In Rio de Janeiro, for instance, the field and literature tends to point the development of the opposite phenomenon the core organisation of culture in prison started in the late 80s and progressed from the *favelas* to prison (Penglase, 2010; Barcellos, Zaluar 2014). In our case it developed from the prison to the *hood*. Our participants compared both the PCC with gangs in Rio de Janeiro in accordance to their stronger cultural-orientation: when a *criminoso* is arrested in Rio de Janeiro, prisoners ask to be placed in

wings, galleries or units in accordance to the distribution of the gang's in the communities (*favela*) from which the subject was originated (see also Novis, 2013); gangs in Rio de Janeiro are deeply influenced by their community belonging (as they called it an *offspring of the ghetto: "cria do morro"*, cfr. Grillo, 2013). But in our case the dynamics in the streets and in prison, the fundamental criteria is the *caminhada* – their behaviour in accordance to the so-called *ethics*. The street origin of inmates is less relevant. The PCC locus arises from prison, shaping from it a common prison-street culture (the *ethics of the crime*). As participants see it, a member of the PCC, is above all a *brother* with a *walk in the crime*, independently of their *hood*.

4. Prison and streets communicating

We found an increasing communication with neighbours and friends making prison a *presence* in the lives of the inhabitants of the peripheral communities. One field observation in this sense is elucidative: when one of our street participants had been arrested during a robbery, his sister and other friends were seeking to find if he was already "*in the air*" - that is, if someone could communicate with him in prison (through a smuggled phone). Tensions were high. Some of his acquaintances saw him entering a police car and there were rumours of him suffering assault and injuries. There was a large concern to the degree the police had already given him a "*lesson*". It was not long before someone found a friend jailed in the police station to find out, via WhatsApp on his condition in prison. Thus, there was already someone supporting the boy, long before family members or lawyers could be activated.

In the field, we observe how friends maintained permanent contact with their imprisoned colleagues. Among the more intense debates is the concern from friends in the *hood* that the prisoner was not suffering “*talaricagem*”, that is, that his girlfriend, partner or wife was not cheating on him. In spite of imprisonment a loving relationship survives for years or decades, precisely because the imprisoned individual is still part of the same cultural *field* that incessantly communicates the *prison* with the *streets*. In many aspects, the *presence* of imprisoned individuals is experienced and respected, as if they had never left – precisely because for friends and families they had not. But loving relationships are not established just before prison, just as we had the opportunity to presence a marriage in the maximum-security prison, countless prisoners met sisters, cousins, nieces and even mothers of other prisoners, establish relationships and marry while in prison, reinforcing their relational ties to the outside and the outside acknowledging them into their lives.

Another fact that pointed to the umbilical connection between the prisoner and the *hood* was the support prisoners rely from the outside with the *people that run together* (in Portuguese *peessoal que corre junto*), that is, friends who are willing to defend and take risks for them. A good example of this bond is the delivery of smuggled cell phones to prison. The prisoner contacts his *people* through a visitor, a lawyer, a letter or by sending a message through someone else’s smuggled phone. Then, his *crowd* finds a mobile, they meet and pay a large amount to a corrupt prison staff to deliver the mobile inside prison. Participants stressed how the *ethics* are

important to the transaction to occur. The enormous web of trustful relationships that need to be established inside and out of prison for such delivery to occur depends on a *prison-presence* that culturally bonds both loci. It involves the handling of large amounts of money, the establishment of risky illicit contacts with authorities and the unquestionable mutual trust of sticking your neck out for incarcerated friends. These nets of dependency, trust, and communication strongly indicates how socio-cultural bonds, even with years of incarceration, remain alive and strong among everyone.

Moreover, prisoners themselves have a permanent interest in maintaining ties to the *hood* for economic reasons. For example, it is customary for a drug dealer in prison to keep managing their *biqueira* (*drug spot*) with the support of those outside. The partner, other close family member, or close friend maintain the physical activities of the *shop* (“*lojinha*”, in Portuguese), and the prisoner manages the accountancy, the deals with distributors etc. as if he or she was still there. After incarceration the division of labour might change, but the relation of property of the *shop* does not. The prisoner is still the *responsible* for the *biqueira*, aware of the entrance of merchandise, money, credits provided to customers and assumed debts.

Beyond the market, some of these prisoners were key references to organise the behaviour of street participants in the streets. Prisoners were key to instruct street participants on how to intermediate conflicts between “criminals” in the streets, providing guidance, and occasionally deciding on “*disciplinary*” measures against those that created problems to the culture in the streets.

Decisions involved the dealing of (so-called) crack-cocaine *junkies* (“*nóia*”), conflicts between *shops*, the investigation and adequate response to those accused of *rape* or *snitching* etc. everything was subjected to an intense debate that simultaneously involved those in the *hood* and those in prison. The cultural dimensions of the *ethics* are key themes developed from prison and that affected a symbiosis with the streets.

In this sense, imprisonment is not an interruption of the individual's previous life, not even an interruption of the ongoing relationship of street participants with the prisoner, among other things because Brazilian prisons depend on the material contribution of families to the survival of prisoner. In the maximum-security unit researched, the unit provided only a single uniform to the detainee on arrival – regardless of the number of years in prison. Moreover, prisoners complained about the insufficiency of food – developing strategies of survival such as cooking the peels of bananas to complement daily rations – and stressed the scarcity of basic hygiene items – such as soap, cleaning supplies and especially toilet paper. For these items to come they depend on their delivery from friends and families. Therefore, it is also an institutional condition that the prisoner remains in permanent communication with the *hood*, because without the tireless effort of friends and relatives to hand over the “*sacolas*” (meaning the entry of *plastic bags* or boxes of permitted goods from the outside), the institution was incapable or unwilling to provide for basic needs.

Furthermore, because dwellers from the *hood* in the peripheries of big cities are

privileged targets of the criminal justice system populating the penitentiaries, there is an increasing chance of meeting people they already know in the prison system or of sewing ties with former unknown neighbours in prison. The field reinforced the perception of over-representation of some *hoods* in prison. Some neighbourhoods in particular were deeply culturally interconnected with the penitentiary system. Most, if not all, *clicks* (in Portuguese, “*banca*”) in the *hood* had at least one friend in prison who knew the system from inside. Also, parts of the near and extended families (including cousins, nephews, sons-in-law etc.) frequently have or had someone incarcerated. Knowledge about the functioning of the various jails and penitentiary units as well as life inside the prison is part of a culture absorbed even by those who have never been arrested – beyond theoretical knowledge, inscribed in their shared practices.

5. The culture of prison embedded in the “*criminal* life

However, the embeddedness of the *ethics of the crime* was significantly stronger in prison than on the streets. That is why the notion given by prison staff of imprisonment as a “*university of the crime*” was not at all devoid of merit in the sense of forming a common cultural knowledge of “*criminals*”. In the particular Brazilian context, the survival of a *criminal* depended on the similar other and therefore a code of conduct that permeates daily practice becomes a cultural imposition. Sykes (2007) had already stressed the need for “solidarity and cohesion” by inmates, however he did not stress that the *code* mutates according to the subjects’ disputes in their cultural

milieus and according to the penal policy in question. From what we have been able to observe, currently in the vast majority of prisons in the regions researched, the *carceral masses* created a cohesiveness of values (the “*ethics*”). It expelled those considered unworthy of boding in the culture (those called *the things* – rapists, child molesters, etc. – and the *big bandits* exploit other prisoners). One of our interviewees, in fact mentioned with some embarrassment that on his arrest it took a while to make things *right* in a local jail, they took too long to ostracise *unethical scoundrels* (“*patifes*” in Portuguese) from the *jail*. Thus, the prison culture is mutating, transforming and adapting to the values and demands of its population.

In the maximum-security prison researched, where individuals were typically in lockdown for 21 hours, the *discipline* – as participants referred to the practical dimension of the *ethics* (see also Biondi, 2017; Dias 2015) – of prisoners was attached to the collective observance of minimal attitudes, words or physical movements of those within a cubicle smaller than 24 square meters shared by 6 to 9 people. According to participants, normally prisoners correct each other when someone misbehaves, and yet, they also admitted to sometimes use violence. The compliance of shared rules of living through force was but a small – albeit sometimes decisive – moment of the inmate’s self-*discipline*. As stressed by *criminals* in the streets and prison, the *ethics* needs to be natural to everyone, prisoners need to be convinced of its importance, consent is necessary and better when it involved the consensus of individuals. Whenever physical action becomes necessary to protect the *ethics*, the

adequate measure of punishment and the necessity of its enforcement need to have some agreement. This is a double-edged sword, for whichever procedure of *discipline* is established becomes a general guidance for future cases to come that affects everyone. Therefore, the discussions and debates sought to avoid conflict between inmates and street participants and naturalise cultural values. This is reflected also in an internal document of the PCC, their *manifesto* (“*cartilha*”) demands not only *loyalty* between gang members – as it is expected –, but also an internalized *discipline* that must become natural to everyone, a *spontaneous* dispositional behaviour of the *ethics* to every single member of the *carceral mass*. According to the *manifesto*:

[...] thus the importance of preparing the consciousness. An army without culture is an army of ignorant and cannot defeat the enemy, [... in] all circumstances being good or difficult. With these attitudes we will always be strengthening, but that these attitudes ought to be spontaneous [...]

The *spontaneity* of *discipline* is something desired. As they understood, the *born criminal* is a positive trace, it refers to someone who has within the cultural behaviour. He or she does not need to *think hard* on how to behave correctly (*right*). Even in the strenuous circumstances and even if this carries an insurmountable burden on themselves – even if it leads to wrongful convictions or institutional violence.

From this complexity of relationships woven by prisoners during their *walk* in prison arises a *sui generis* normative order

that is not simply based on a prison culture, but as prisoners' prefer, a culture of *o crime* that overflows the experiences within prison to the general *criminal milieu* (in the streets and in the prison). In that process, not only was the community enlarged to prison, but the prison culture is extended to the community. Prison is experienced as presence (or *prison-presence*) in the life of a significant part of the inhabitants of the *hood*. While participants embedded in the *criminal culture* were embedded by this prison-presence, in contrast, other participants dealt with prison not as a presence but as a possibility (or *prison-possibility*). Those groups of individuals that suffered from criminalization as an external influence on their life – as is the case of the drunken middle-class worker who ends in prison by accidentally running-over someone. This second case of prison experience (the *prison-possibility*) was not constitutive of the individual, it remains a normative orientation external to them, which the subject wishes to avoid. Whereas *prison-presence* constitutes the individual at the core of their identity, as a practical orientation, assuming *o crime* culture as a symbolic status or ethical parameter by which the subject acts as reference. This orientation appeared as more than a choice, it largely related to the determinations of life according to the structural and contextual background in which individuals were culturally assimilated.

This identity was so permeable that even individuals who leave prison and move away from the world of 'the crime' have difficulty adapting to the reality of the *wage-earner*. We could observe among one

of our participants, that the assumption of *ethics of the crime* – specifically the part that refers to the need for *transparency* – made him feel impelled to communicate the *truth* to employees of his past involvement in criminal acts. This behaviour, widely appraised in the *criminal milieu*, significantly hindered his chances of employability. After his release from prison, the interviewee informed his potential employers that he had been sentenced to prison for "157" (*robbery*), because he had the understanding that the *right* was to be *transparent*, because the discovery of a lie between prisoners leads to a very serious sanction within the prison-street culture. This is heavily sanctioned within the *code of discipline* of PCC members.

9-LIE

When invents or increases something to harm someone or it is benefited in lieu of the lie.

(Exclusion without return, lack of transparency lack of vision).

Having lived in the *world of o crime*, which conveys shared respected values within the prison, allowed our participant to develop a good relationship with the *carceral masses* and survive difficult times in prison, but in the assumption of these values he suffered a dual exclusion – formal and behavioural – in the outside world of the labour-market that he still needed to culturally re-adapt.

6. The structure behind the prison-presence culture

Prison-presence is also a cultural

consequence of the expansion of hyper-incarceration in localized areas within peripheral neighbourhoods – the *hood* (“*quebrada*”). The institutional attitude of street-policing (in contrast to crime-investigation) as the main mean to fight crime has led to a militarization of law enforcement. While Brazil has had an increase in victimisation, increasing convictions from street enforcement and the declining influence of police investigation as a means of solving the problem of crime has not been able to contain homicide rates (Waiselfisz, 2016). The predominance of the street enforcement substituting the traditional crime investigation model has been experienced as a repressive action of the State, which is less capable or willing to deal with violence and crime within the boundaries of the *hood*, and more with the containment of the overflow of street crime from the urban periphery to commercial and affluent areas (Holston, 2008; P.R. Caldeira, 2002). Thus, as we observed, *hood* dwellers feel that protection cannot come from policing but had to be informally produced. Community leaders, evangelical pastors and *criminals* were active sources of informal governance where the State failed.

Mass incarceration selectively affects target populations, mostly men, young, Black and uneducated of peripheries who will experience the criminal justice system as more than a *possibility*, but a *presence* in their lives. Practices learned within the prison by family members, friends and neighbours are more rapidly absorbed and passed on as mechanical cultural heritage, teaching ways to behave with others in the *hood*, and especially towards the police. In

the field, it was notorious how all respondents considered interaction with the police, for instance, being *stopped and frisked* (“*tomar uma geral*”), as a daily fact of their lives, of which they knew how to behave in regards to the police (‘yes, Sir’; ‘no, Sir’; ‘I have nothing on me’ etc.), and to others in the ‘*hood*’ (‘do not snitch’; ‘take the guilt if necessary’ – ‘*não caguetar*’, ‘*assume o B.O.*’ etc.). It is not only the policy of confinement that is unconsciously adopted in the practices of the *hood*, but also the collective response of the *ethics of the crime* to this policy, so that the culture of *o crime* is widened: prison and the *hood* were experienced as integrated cultural spaces constituted from the institutions *above* but responded with agency from *below*.

7. Conclusion. In search of citizenship: overcoming the autonomy of the field of “*o crime*”

We began arguing that since the post-war the sociology of prisons has found itself in a rich debate between theories that privileged either the importation or deprivation of *prison culture* in relation to the outside world (Roebuck, 1963). Since then, the following approaches have been slowly developing away from a hard ‘*total institution*’ model (Farrington. 1992; Cunha, 2014), yet our field research has led us to a different path. We found the cultural effects of prison in the streets and the web of cultural bonds fabricated from prison to the street: the overwhelming experience of *prison-presence* – even for those never institutionalized. The cultural agency of *criminals*, in an interrelation between prison-streets, has brought the cultural effects of the prison to the *hood* and this has been a fundamental experience for survival in both street and

prison *loci*.

For our street participants, prison was experienced as a juxtaposed moment of the *hood*. Prison does more than shaping the behaviour of arrested subjects as they resettle; prison permanently and incessantly shapes values, discourses and practices that are extended to the *hood*. Just as well, it is not possible to understand the internal dynamics of prison, without understanding that prisoners experienced the *hood* in its material and symbolic features. Those living experiences in each of the respective *loci* shape a common culture by the participating subjects. This common field, however, is not structurally given but historically disputed by the agents that act in it. In other words, *criminal(-ized)* subjects shape the field according to a parameter of conduct whose influences extrapolate mere economic interests. From this dispute, a new moment reconfigures the field. In recent years, the dominant figure of a reckless and oppressive *delinquent* – referred in the field as a *bandidão*, whose dominance was extracted from his *toughness* – has been substituted by a new phase of the *ethics of the crime* – whose strength stems from the collective agency of reflection and *debates*. The *ethics of the crime* imposes a *discipline* for the participants that crosses walls in and out of prison.

In that sense, the *world of o crime* in the *hood* cannot be understood without taking into account the dynamics in prison. *Prison-presence* is experienced and recognized as legitimate by participants in the *hood*. There are institutional needs that support such orientations – given the lack of assistance to prisoners and the high flow of mass incarceration arrests and

resettlements –, but there is also an on-going desire to maintain the bonds between the prisoner and their partner, their family visits, their *allies* in crime and the *hood* friends. These bonds are constitutive and cross both spaces. The cultural orientations are embedded within the *criminal* culture, expanding the prison to the streets and creating a shared constitutive field. This however does not mean that the limits of prison confinement and the street *criminal* life are patterned by identical set of behaviours, after all for participants the street culture is much open than the counterpart in prison. Yet the rigid lessons learned within prison affect and are constitutive of the larger outside culture. Letters, lawyers, family visits, smuggled goods, gangs and, fundamentally, the smuggled phones should not simply be conceived as technologies that allow the inside to contact the outside, but as instruments capable of breaching cultural experiences through time and space. The *ethics* and *discipline* are not separated, but renewed, according to the living locus of the subjects. *Prison-presence* is therefore constitutive of the life in *the crime* beyond the physical limits of the individual criminal subject. If it is true that this disputed field of *the world of o crime* (Feltran, 2012) has become more relatively autonomous in relation to invectives from other cultural injunctions (Marques, 2009), it is also because the political options of the Brazilian State have largely accentuated the exclusion of marginalized citizens (Pineiro, 1991; Scheper-Hughes, 2015; Misse, 2011). The *criminal* is a subject culturally absent of Brazilian citizenship (Holston, 2008). Neither does the spectrum of 'rehabilitation' surround the prison spaces as it did in the past, nor

does social inclusion appear to be on the horizon (Iturralde, 2010). In these circumstances, agents outside '*the crime*' culture – such as police officers, workers, social workers, politicians, etc. – can hardly transform the perpetuating circumstances of inequality, oppression and deprivations. In order to withdrawn from this self-perpetuated cycle, it is necessary to change the assumptions that have fragmented Brazilian citizenship (Holston, 2008), but this change will depend on a radical reorientation of the State in its policies of punishment and social inclusion. Meanwhile, on the other side of the abyss, *criminals* are producing their own field of cultural organization and claiming their spaces through their own means.

Notes

¹ Vitor Stegemann Dieter, dottorando in criminologia culturale e globale presso le Università del Kent (UK) e di ELTE (Ungheria). In possesso del master in criminologia conseguito nelle Università di Padova e Bologna e di un master in diritto dell'Università di Paraná (Brasile). I suoi principali interessi di ricerca sono la sociologia del penitenziario, le droghe, le gang e la Southern criminology.

² Renato de Almeida Freitas Jr., attivista afro-brasiliano per i diritti umani, impegnato nella tutela dei diritti delle comunità marginalizzate e dei detenuti, scrittore, avvocato e consigliere comunale di Curitiba. Ha conseguito un master in diritto all'Università Federale di Paraná (Brasile), i suoi principali interessi di ricerca sono la teoria critica e anti-razzista e le prospettive carcerarie riduzionista e abolizionista.

³ All the terms in this article in accordance to the native-ethnographic usage will be in inverted 'commas' and italic.

⁴ 'Criminals', 'thieves' and 'vagabonds' are the literal translation from the street-slang in Portuguese – respectively, 'criminoso', 'ladrão' and 'vagabundos' – used by 'natives' of prison and the 'hood' to circumscribe their visions of themselves and others in relation to their commitment to the 'life in crime'. The usage differs from mainstream and police use, 'criminoso', for instance, does not refer to someone who commits crime – a 'rapist' for instance can never be considered a 'criminoso', nor would a white-collar or police officer be described as such. The term, used in the boundaries of prison and the 'hood' refers to someone

who shares cultural practices and worldview with those 'in the life of crime' (drug trafficking, robberies, thefts, etc.) but is 'respected' amongst the 'criminal' milieu. The term 'vagabond' ('vagabundos') comprises being respected in the 'criminal' milieu but refers to those members that share a 'deviant' life-style, such as 'graffiti' artists, 'taggers', 'rappers', 'truants', 'homeless' etc., as well as young marginalized individuals that share the material and symbolic spaces of the 'hood' and the prison.

⁵ 'The crime' is the term used by natives of the field to refer to the 'criminal' (sub)culture, not the act of perpetrating a crime. The 'ethics of the crime' is the term used in the field to the moral values that ideally hold together that culture.

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